



January 20, 2006

SENATE BILL No. 331

DIGEST OF SB 331 (Updated January 18, 2006 4:37 pm - DI 102)

Citations Affected: IC 9-22.

Synopsis: Abandoned vehicles. Requires that if: (1) an abandoned vehicle is sold by a person who removed, towed, or stored the vehicle; and (2) proceeds from the sale of the vehicle covered the removal, towing, and storage expenses (as opposed to just storage expenses under current law); the remaining proceeds from the sale of the vehicle must be returned to the previous owner of the vehicle if the previous owner is known. Provides that a municipal corporation that operates a storage yard may dispose of the abandoned vehicle to an automobile: (1) scrapyard; or (2) salvage recycler; upon removal of the abandoned vehicle.

Effective: July 1, 2006.

Broden, Young R Michael

January 10, 2006, read first time and referred to Committee on Governmental Affairs and Interstate Cooperation.
January 19, 2006, reported favorably — Do Pass.

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SB 331—LS 6960/DI 96+



January 20, 2006

Second Regular Session 114th General Assembly (2006)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2005 Regular Session of the General Assembly.

SENATE BILL No. 331

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 9-22-1-4, AS AMENDED BY P.L.104-2005,
2 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2006]: Sec. 4. (a) Except as provided in subsection (c), the
4 person who owns an abandoned vehicle or parts is:

5 (1) responsible for the abandonment; and

6 (2) liable for all of the costs incidental to the removal, storage,
7 and disposal;

8 of the vehicle or the parts under this chapter.

9 (b) The costs for storage of an abandoned vehicle may not exceed
10 one thousand five hundred dollars (\$1,500).

11 (c) If an abandoned vehicle is sold by a person who removed, towed,
12 or stored the vehicle, the person who previously owned the vehicle is
13 not responsible for storage fees.

14 (d) If an abandoned vehicle is sold by a person who removed,
15 towed, or stored the vehicle, and proceeds from the sale of the vehicle
16 covered the **removal, towing, and** storage expenses, any remaining
17 proceeds from the sale of the vehicle shall be returned to the previous

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owner of the vehicle if the previous owner is known.

SECTION 2. IC 9-22-1-13, AS AMENDED BY P.L.104-2005, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 13. (a) If in the opinion of the officer the market value of an abandoned vehicle or parts determined in accordance with section 12 of this chapter is less than:

(1) five hundred dollars (\$500); or

(2) in a municipality that has adopted an ordinance under subsection (b), the amount established by the ordinance;

the officer shall immediately dispose of the vehicle to a towing service. **storage yard.** A copy of the abandoned vehicle report and photographs relating to the abandoned vehicle shall be forwarded to the bureau. ~~The~~ A towing service may dispose of the abandoned vehicle not less than thirty (30) days after the date on which the towing service removed the abandoned vehicle. **A municipal corporation (as defined in IC 36-1-2-10) that operates a storage yard as authorized under IC 36-9-30-3 may dispose of the abandoned vehicle to an automobile scrapyard or an automotive salvage recycler upon removal of the abandoned vehicle.** The public agency disposing of the vehicle shall retain the original records and photographs for at least two (2) years.

(b) The legislative body of a municipality (as defined in IC 36-1-2-11) may adopt an ordinance that establishes the market value below which an officer may dispose of a vehicle or parts under subsection (a). However, the market value established by the ordinance may not be more than seven hundred fifty dollars (\$750).

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SENATE MOTION

Madam President: I move that Senator Young R Michael be added as coauthor of Senate Bill 331.

BRODEN

COMMITTEE REPORT

Madam President: The Senate Committee on Governmental Affairs and Interstate Cooperation, to which was referred Senate Bill No. 331, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is made to Senate Bill 331 as introduced.)

RIEGSECKER, Chairperson

Committee Vote: Yeas 9, Nays 0.

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